



<b>DATE:</b>	July 20, 2006
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<b>RE:</b>	Proof of Missing Requirements filing on June 22, 2005
<b>YOUR FILE:</b>	10/517,398, Confirmation No. 5579
<b>OUR FILE:</b>	P-US-PR 1056
<b>MESSAGE:</b>	
<b>Total No. of pages:</b>	7

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(7/2/2003) (03-04)  
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<b>TRANSMITTAL FORM</b>		Application Number 10/517,398	
		Filing Date 1.A. 05/04/2003	
		First Named Inventor Mirco Rosetti	
		Art Unit N/A	
		Examiner Name Karan R. McLean	
		Attorney Docket Number P-US-PR 1058	
(This is used for all correspondence after initial filing)			
Total Number of Pages in This Submission 5			

<b>ENCLOSURES (check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
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<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<b>Remarks</b> In response to the Notification of Missing Requirements Under 35 U.S.C. in the United States Designated/Elected Office (DD/EO/US) Attached is a copy of the Combined Declaration and Power of Attorney for the above-referenced patent application. The Commissioner is hereby authorized to charge \$130.00 for filing the Declaration to Deposit Account No. 02-2545.		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53			

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm	Black & Decker		
Signature	<i>Michael P. Leary</i>		
Printed Name	Michael P. Leary		
Date	June 22, 2005	Reg. No.	41,144

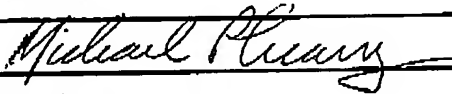
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22310-1450 on the date shown below.			
Signature	<i>Rebecca S. Castano</i>	Date	June 22, 2005
Typed or printed name	Rebecca S. Castano		

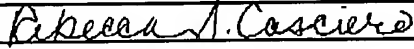
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 Approved for use through 07/31/2008, OMB 0851-0031

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/517,398	
	Filing Date	I.A 06/04/2003	
	First Named Inventor	Mirco Rosetti	
	Art Unit	N/A	
	Examiner Name	Karen R. McLean	
Total Number of Pages in This Submission	5	Attorney Docket Number	P-US-PR 1056

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> In response to the Notification of Missing Requirements Under 35 U.S.C. In The United States Designated/Elected Office (DO/EO/US) Attached is a copy of the Combined Declaration and Power of Attorney for the above-referenced patent application. The Commissioner is hereby authorized to charge \$130.00 for filing the Declaration to Deposit Account No. 02-2548.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Black & Decker		
Signature			
Printed Name	Michael P. Laary		
Date	June 22, 2005	Reg. No.	41,144

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Signature			
Typed or printed name	Rebecca S. Casciero	Date	June 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/517,398	Mirco Rossetti	P US PR 1056

 Michael P Leary  
 Black & Decker  
 701 E Joppa Rd  
 TW 199  
 Towson, MD 21286

 ALTERNATIVE  
 REQUIRED ACTION

 SIGNATURE  
 8-17-05

INTERNATIONAL APPLICATION NO.	
PCT/EP03/05846	
LA. FILING DATE	PRIORITY DATE
06/04/2003	06/08/2002

CONFIRMATION NO. 5579

371 FORMALITIES LETTER

\*OC000000016142314\*

Date Mailed: 06/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/01/2004
- Copy of the International Search Report filed on 12/01/2004
- Copy of IPE Report filed on 12/01/2004
- Information Disclosure Statements filed on 03/30/2005
- Oath or Declaration filed on 12/01/2004
- Request for Immediate Examination filed on 12/01/2004
- U.S. Basic National Fees filed on 12/01/2004
- Priority Documents filed on 12/01/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/517,398	PCT/EP03/05846	P US PR 1056

FORM PCT/DO/EO/905 (371 Formalities Notice)

## ATTORNEY DOCKET NO. P-US-PR-1056

## COMBINED DECLARATION AND POWER OF ATTORNEY

## FOR PATENT APPLICATION

As a below named inventor(s), We hereby declare that: our residence, post office address and citizenship are as stated next to our names; that We believe that We are the original, first and sole inventor (if only one inventor is named below) or an original first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "ADJUSTABLE BAND SAW" the specification of which:

☐ is attached hereto

X was filed on June 4, 2003, assigned International Application No. PCT/EP03/05846

X was filed in the USPTO on December 01, 2004, assigned US Serial No. 10/517,398

We hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof for more than one year prior to this application; that the same was not in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns, except as follows:

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>GB 0213195.1</u>	<u>UK</u>	<u>06/08/2002</u>	<u>X</u>	
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No

We hereby claim the benefit under Title 35, United States Code, §119(e) and/or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing Date)	(Status-Patent, Pending, Abandoned)
(Application No.)	(Filing Date)	(Status-Patent, Pending, Abandoned)

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

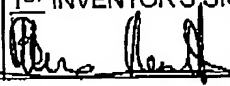
POWER OF ATTORNEY: As named inventors, We hereby appoint the following attorneys to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith.

Adan Ayala, Esq., Registration No. 38,373  
 John D. Del Ponti, Esq., Registration No. 24,258  
 Edward D. Murphy, Esq., Registration No. 20,625  
 Richard J. Veltman, Esq., Registration No. 36,957

Bruce S. Shapiro, Esq., Registration No. 33,120  
 Charles E. Yocum, Esq., Registration No. 30,121  
 John Yun, Esq., Registration No. 55,823  
 Michael P. Leary, Esq., Registration No. 41,144

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GIVEN NAME	FAMILY NAME	1ST INVENTOR'S SIGNATURE	DATE
Mirco	Rosetti		06/04/2005
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NEW ADDRESS : V. SPERANDIO 5, 06125 PERUGIA ITALY Via Bottinelli 4, 06100 Perugia, Italy			Italian
POST OFFICE ADDRESS (COMPLETE STREET ADDRESS INCLUDING CITY, STATE & COUNTRY)			
NEW ADDRESS : V. SPERANDIO 5, 06125 PERUGIA ITALY Via Bottinelli 4, 06100 Perugia, Italy			